

TOWN BOARD

The Town Board, Town of Highlands, held 3 Public Hearings and a Regular Meeting on Monday, October 24, 2016 at Town Hall, 254 Main St, Highland Falls, at 7:00pm.

| | | | |
|----------|----------------------|------|----------------|
| PRESENT: | Mervin R. Livsey | ---- | Supervisor |
| | William Edsall | ---- | Council Member |
| | Tyrone King | ---- | Council Member |
| | June Gunza | ---- | Council Member |
| | Adrienne T. Voltaire | ---- | Council Member |
| | Justin Rider | ---- | Counsel |
| | Kelly Blauvelt | ---- | Comptroller |
| | June Patterson | ---- | Town Clerk |

Supervisor Livsey opened the meeting at 7:00pm and asked for a moment of silence for Fred Brennan, a long-time resident and Editor of the News of the Highlands, who passed away recently.

PUBLIC HEARING – 2017 BUDGET

Supervisor Livsey read that the rebate program had expired. The Supervisor confirmed that there will be no rebate this year for Town taxes. The Supervisor said the tax cap needs to be reevaluated.

Ms. Blauvelt said the Department Heads did a great job with their budgets. Ms. Blauvelt said the 2017 budget is \$449 below the tax cap. Ms. Blauvelt stated that the budget is down by \$31,000 and the revenues are up by \$46,000. Ms. Blauvelt reviewed some other areas of the budget.

Council Member Edsall made a motion seconded by Council Member Voltaire to open the public hearing on the 2017 budget. Public hearing opened at 7:07pm.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

Public Comment

No public comment.

Council Member Voltaire made a motion seconded by Council Member Gunza to close the public hearing. Public hearing closed at 7:08pm.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

PUBLIC HEARING – 2017 SPECIAL DISTRICTS

Ms. Blauvelt stated that Water District #1 is down a little, Water District #2 has gone up a little and Sewer has gone down a little.

TOWN BOARD

OCTOBER 24, 2016

Council Member Edsall made a motion seconded by Council Member Gunza to open the public hearing on the 2017 Special Districts. Public hearing opened at 7:10pm.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Public Comment

There was no public comment.

Council Member Edsall made a motion seconded by Council Member Voltaire to close the public hearing. Public hearing closed at 7:10pm.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

PUBLIC HEARING – LOCAL LAW #2 OF 2016

Council Member Gunza made a motion seconded by Council Member King to open the public hearing on Local Law #2 of 2016, Consolidated Planning Board for Village and Town. Public hearing opened at 7:11pm.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Public Comment

James Ramus asked if the agreement is the same as the Village's.

Mr. Rider said it is.

Mr. Ramus said the Town Clerk is working on getting him a disc with the current codes.

Eric Smith said he would like to move towards a single code book. Mr. Smith also said the new Board has a lot of work to do.

Council Member Gunza stated it is a good thing to consolidate and that the Boards have been working with Orange County to update the code book.

Council Member Edsall made a motion seconded by Council Member Voltaire to close the public hearing. Public hearing closed at 7:20pm.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******REGULAR MEETING******

PUBLIC COMMENT

Vivian Thomson, from the Fort Montgomery Methodist Church, said they are pleased to have Town water, but cannot go another winter without the parking lot being paved. Ms. Thomson also thanked the Board for the \$4,000 in the budget for the Library.

Mr. Patterson assured Ms. Thomson that the parking lot at the church will be paved before the winter. Mr. Patterson said the paver is scheduled to come this Friday.

Supervisor Livsey said that, at a previous meeting, it was stated that the West Point Transfer was closing within the next year. The Supervisor said, that after speaking with the Highway Supt., it was decided that another truck would be needed necessary to transport garbage to Goshen. The Supervisor also thought purchasing recycling bins for the residents would reduce the amount of garbage being transported.

Supervisor Livsey said Mr. Patterson sent letters to the elected officials, i.e., Senators, Assemblymen, etc. to see if anything help was available. The Supervisor said a letter was received from Senator Larkin and he asked Mr. Patterson to read the letter.

Mr. Patterson thanked Supervisor Livsey and County Legislature DiSalvo for their help with this. Mr. Patterson read the letter which stated that the Town will be receiving a \$250,000 grant to purchase a new truck.

Supervisor Livsey said he called Assemblyman Skoufis and he verbally “promised” \$100,000 to help purchase recycling bins for the residents.

MINUTES

Council Member Edsall made a motion seconded by Council Member King to accept the minutes, as prepared by the Town Clerk, from the October 10, 2016 meeting.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
 0-nays**

COMMUNICATIONS

Supervisor Livsey said he received a letter from NYS DOT informing him that in the Spring of 2017 they will be repaving portions of the Palisades Parkway.

Supervisor Livsey stated he received a new schedule for the Sewer project from Fusco Engineering.

TOWN BOARD

OCTOBER 24, 2016

Supervisor Livsey reminded the Board that on October 29 the Department of Emergency Services along with First Responders will be holding a Homeland Security exercise at the Kaplan building in Newburgh from 9am-12pm.

FINANCIAL

Supervisor Livsey said the Town paid out \$112,306.29.

BOARD REPORTS

Council Member Edsall

Council Member reported that he has been corresponding with Mr. Rider in regards to the double poles. Mr. Edsall said the Town of Wallkill is pursuing legal action and he has received a copy of the Local Law pass by the Town of Wallkill. Mr. Edsall said maybe this Board should consider a local law.

Mr. Rider said he could draft something.

Council Member Edsall said he is comfortable with everything that is going on at the Sewer Plant.

Council Member Edsall said he doesn't like political signs on public right-a-ways and he would like to see some restrictions on that. Mr. Edsall said he would be willing to research that if the Board would like.

Council Member Gunza said there might be something in the Town ordinance about only allowing them up for 30 days.

Mr. Rider said he didn't recall, but would review the ordinance.

Council Member Gunza asked if the restriction was something that could be done.

Mr. Rider said he would do some research and provide the information to the Board.

Council Member King

Council Member King said he had a discussion with some Veterans who were interested in the youth and he passed this information on to the Recreation Director.

Council Member Voltaire

Council Member Voltaire had nothing to report.

TOWN BOARD

OCTOBER 24, 2016

Council Member Gunza

Council Member Gunza said if anyone is interested in the Emergency Management Coordinator position they could speak to any Board Member or the Supervisor.

SUPERVISOR'S REPORT

Supervisor Livsey reported that he attended a round table discussion with the Secretary of State. The Supervisor said the main reason for this discussion was to obtain information on consolidation in the Hudson Valley.

GENERAL BUSINESS

Local Law #2 – Consolidated Planning Board

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution for Local Law #2 of 2016 providing for a Consolidated Planning Board for the Town of Highlands and Village of Highland Falls.

RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

******RESOLUTION ATTACHED******

FMSIA Upgrade Requests

Supervisor Livsey stated that Mr. Held has requested \$25,000 to purchase a small generator for the Fawnwood pump station. The Supervisor said this money is in his budget.

Supervisor Livsey said Mr. Held also would like to have a service contract with Power Generator Service to maintain the generators.

Council Member Edsall made a motion seconded by Council Member Gunza to approve the signing of the contract with Power Generator Service.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

Supervisor Livsey said the work at the 9W pump station needs an additional \$8,000 to upgrade the electric. The Supervisor was advised by the electrician that the ground wires were not installed properly and it is a safety hazard.

Ms. Blauvelt said the actual cost of the work is \$4,125.

Supervisor Livsey said he would like to do this as an emergency.

TOWN BOARD

OCTOBER 24, 2016

Council Member Edsall made a motion seconded by Council Member King to do the extra emergency work at the 9W pump station in the amount of \$4,125.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

Resolution – 2017 Special Districts

Mr. Rider said he has the resolution for the Special District rolls if the Board wants to adopt it tonight.

Council Member Edsall made a motion seconded by Council Member Gunza to adopt the resolution adopting the 2017 Special Districts.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Corbin Hill Water

Supervisor Livsey said Mr. Rider sent out a proposed purchase agreement for the Corbin Hill water supply. The Supervisor said the improvements will be made prior to the purchase.

Mr. Rider said this is a dedication of their water system to the Town and the improvements will be made before anything happens.

PUBLIC COMMENT

James Ramus asked Ms. Gunza to look into transferring the funds left over from the Village Planning Board to the Consolidated Planning Board.

Mr. Ramus asked when the Town Board planned on appointing Planning Board members.

Supervisor Livsey said this is usually done at the Town's annual meeting.

Mr. Rider said he thought the members were going to be notified so work could be done. Mr. Rider advised the Board that it should be done sooner rather than later.

Mr. Ramus said there was a meeting of the Police Commission recently and there were only four residents in attendance. Mr. Ramus said a Commission member rode with a Village Police Officer and he thought that one could ride with a Town Police Officer also to get another view.

Ms. Blauvelt said she needed to call the State Comptroller about the consolidation of the Planning Boards because it is a "transfer of function" and can affect the tax cap.

TOWN BOARD

OCTOBER 24, 2016

ADJOURN

Council Member Edsall made a motion seconded by Council Member Gunza to adjourn the meeting. Meeting adjourned at 8:10pm.

MOTION CARRIED: 5-ayes (Livsey, Edsall, King, Gunza, Voltaire)
0-nays

Attest,

RESOLUTION

OF

OCTOBER 24, 2016

A RESOLUTION TO ADOPT
A LOCAL LAW PROVIDING FOR A CONSOLIDATED
PLANNING BOARD FOR THE TOWN OF HIGHLANDS
AND VILLAGE OF HIGHLAND FALLS

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Gunza**.

WHEREAS, the Town Board of the Town of Highlands adopted a resolution on the 10th day of October, 2016 ordering a public hearing to be held on the 24th day of October, 2016, at 7:20 o'clock p.m., prevailing time, to hear all interested parties on proposed Introductory Local Law #2 of the Year 2016 entitled "A Local Law Providing for a Consolidated Planning Board For the Town of Highlands and Village of Highland Falls;" and

WHEREAS, a notice of Public Hearing was duly advertised on the 14th day of October, 2016 in The News of the Highlands and posted on the Town Clerk's sign board on the 11th day of October, 2016; and

WHEREAS, the Public Hearing was duly held on the 24th day of October, 2016 at 7:20 o'clock p.m., at Town Hall, 254 Main Street, Highland Falls, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the Town Board of the Town of Highlands has conducted an environmental review of the proposed adoption of the Local Law under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQRA") and has determined that said action constitutes a Type II action; and

WHEREAS, the Town Board of the Town of Highlands, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Highlands hereby adopts said Local Law #2 of the Year 2016 entitled "A Local Law Providing for a Consolidated Planning Board For the Town of Highlands and Village of Highland Falls."
2. The Town Clerk is hereby directed to enter this resolution and said Local Law in

the minutes of this meeting and the Local Law Book of the Town of Highlands and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|------------------------------------|--------|------------|
| Tyrone King, Councilman | voting | Aye |
| June Gunza, Councilwoman | voting | Aye |
| Adrienne T. Voltaire, Councilwoman | voting | Aye |
| William Edsall, Councilman | voting | Aye |
| Mervin R. Livsey, Supervisor | voting | Aye |

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and Adopted at a meeting of the Town Board, Town of Highlands, on October 24, 2016.

June Patterson, Town Clerk

RESOLUTION

OF

OCTOBER 24, 2016

A RESOLUTION OF FINAL ADOPTION
OF SPECIAL DISTRICT
ASSESSMENTS, ROLLS AND BENEFIT
FORMULAS FOR THE YEAR 2017

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Gunza**.

WHEREAS, the Annual Budget and Special Assessment Rolls for the Town's special districts and special improvement areas, namely Town of Highlands Water District #1; Town of Highlands Water District #2; and Town of Highlands Sewer Improvement Area for the fiscal year beginning January 1, 2017 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budgets and Assessment Rolls as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Highlands does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Rolls accompanying the same as the Annual Budget and Assessment Rolls for the Town's special districts and special improvement areas, namely Town of Highlands Water District #1; Town of Highlands Water District #2; and Town of Highlands Sewer Improvement Area for the fiscal year beginning January 1, 2017 and that such Budget and the Assessment Roll accompanying the same

be entered in full in the minutes of the proceedings of this Town Board; and be it

FURTHER RESOLVED, that the Benefit Formulas finally approved shall spread a portion of the cost of maintaining and operating the Town Districts and the payment of the debt service due for the fiscal year beginning January 1, 2017 over the properties within the Districts in proportion to the benefit derived; and be it

FURTHER RESOLVED, that the Benefit Formula for Town of Highlands Water Districts No. 1 and No. 2 is attached hereto as Exhibit A; and be it

FURTHER RESOLVED, that the Benefit Formula for Town of Highlands Sewer Improvement Area is attached hereto as Exhibit B; and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Highlands prepare and certify in duplicate copies of the said Budget and Assessment Rolls as so adopted for presentation as required by law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|------------------------------------|--------|------------|
| Tyrone King, Councilman | voting | Aye |
| June Gunza, Councilwoman | voting | Aye |
| Adrienne T. Voltaire, Councilwoman | voting | Aye |
| William Edsall, Councilman | voting | Aye |
| Mervin R. Livsey, Supervisor | voting | Aye |

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on October 24, 2016.

June Patterson, Town Clerk